

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

MARTIN J. WALSH Secretary of Labor,)	
United States Department of Labor,)	
)	
Plaintiff,)	
)	
v.)	No. 1:21-cv-02160-SEB-TAB
)	
HEAL AT HOME, LLC,)	
TPS CAREGIVING, LLC)	
d/b/a COMFORT KEEPERS,)	
TIMOTHY PAUL,)	
)	
Defendants.)	

ORDER

On August 2, 2021, the United States Secretary of Labor filed a complaint against Heal at Home, LLC, TPS Caregiving, LLC d/b/a Comfort Keepers, and Timothy Paul, alleging violations of the Fair Labor Standards Act. Dkt. 1. On December 3, 2021, the parties filed a Motion to Approve Consent Judgment with the parties' proposed consent judgment attached as an exhibit. Dkt. 19. The proposed consent judgment provides that the "Court shall retain jurisdiction for purposes of enforcing compliance with the terms of this final judgment pursuant to Federal Rule of Civil Procedure 54." Dkt. 19-1 at 5. The proposed consent judgment does not provide any explanation or background as to why the Court should approve it. Further, the parties have not provided the Court with any accompanying briefing in support of their joint motion.

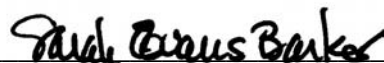
The parties are free to enter into a settlement agreement and to dismiss a case without judicial approval. But a consent judgment seeks the exercise of federal power by

having the Court approve the agreement and retain jurisdiction to enforce compliance. Under such circumstance, "a district court must determine whether a proposed decree is lawful, fair, reasonable, and adequate." *E.E.O.C. v. Hiram Walker & Sons, Inc.*, 768 F.2d 884, 889 (7th Cir. 1985); *see Loc. No. 93, Int'l Ass'n of Firefighters, AFL-CIO C.L.C. v. City of Cleveland*, 478 U.S. 501, 525 (1986) ("[A] federal court is more than a recorder of contracts from whom parties can purchase injunctions") (citation omitted).

The parties therefore **SHALL FILE** a brief in support of the proposed consent judgment explaining the reasons it is lawful, fair, reasonable, and adequate in light of the factors set forth in *Hiram Walker & Sons, Inc.*, 768 F.3d at 889, by **January 18, 2022**.

IT IS SO ORDERED.

Date: 12/15/2021



SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

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